THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11079 of 2007

Dated:12.10.2007

Between

B.Shanker and others.

..Petitioners

and

Andhra Pradesh Northern Power
Distribution Company Ltd.,
Corporate Office, Warangal
and others.

…Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11079 of 2007

ORDER:

This writ petition is filed seeking a Mandamus to declare para 6-II of the Notification dated 23.10.2006 and the action of the respondents in not issuing call letters to the petitioners for the ensuing interviews pursuant to the said notification as arbitrary and illegal and violative of Articles 14, 16 and 21 of the Constitution of India.

It appears that all the petitioners, who are freshers, applied for the post of Junior Lineman pursuant to the notification dated 23.10.2006. The petitioners are aggrieved by the condition in para 6 (II) of the notification which says that the pole climbing test will be conducted first for the existing contract labour and if suitable candidates are not available among the existing contract labour, then

the pole climbing test will be conducted for the fresh candidates also and those who fail in the pole climbing test shall not be eligible for appointment. Hence, the petitioners filed this writ petition.

Learned counsel for the petitioners submits that this condition of conducting pole climbing test first to the existing contract labour and considering the cases of the petitioners in the remaining vacancies is arbitrary and illegal.

I am of the opinion that giving preference to the existing contract labour can never be called to be either discriminatory or illegal. The existing contract labour are all experienced and they deserve for preferential treatment when compared to the freshers. However, the respondents themselves have stated that if there are any vacancies, after considering the existing contract labour, the petitioners, who are freshers, shall be called for interview and considered for appointment as per law.

Recording the same, the writ petition is

disposed of directing the respondents to consider the cases of the petitioners, along with others, in the remaining vacancies, as per law. No costs.

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12-10-2007

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